

BRIEF CARMEN & KLEIMAN, LLP

ATTORNEYS AT LAW
805 THIRD AVENUE
NEW YORK, NEW YORK 10022

MATTHEW J. BRIEF
RICHARD E. CARMEN
IRA KLEIMAN*

www.briefjustice.com

* ALSO ADMITTED IN THE DISTRICT OF COLUMBIA

TELEPHONE
(212) 758-6160
(212) 832-5570

FACSIMILE
(212) 832-1747
(212) 832-7221

March 27, 2015

VIA ECF

The Honorable Analisa Torres
United States District Judge
United States Courthouse
500 Pearl Street
New York, NY 10007

Re: XL Specialty Insurance Company v. Lakian, et al.
Civil Action No. 14-cv-5225

Dear Judge Torres:

This firm is an intervenor-defendant in the above action, and are the attorneys for John R. Lakian ("Mr. Lakian") in the action in the New York State Supreme Court, titled "Knox, LLC et al. v. Capital L Group LLC, John R. Lakian, et al (the "Knox Action"). We join in the arguments presented in the letter to your Honor of today's date from McCarter & English, LP, opposing the pre-motion conference request filed by Counsel for Knox, LLC d/b/a Knox, LLC of New York and DJW Advisors, LLC ("Knox and DJW").

We also respectfully request the Court consider that our firm (unlike the other law firms in this action) has ongoing obligations, as it currently represents Mr. Lakian in the Knox Action; and, as your Honor has been advised, Knox and DJW have adamantly opposed Mr. Lakian's application for a stay in the Knox Action. Thus, If the Court were to grant the motion by Knox and DJW for a stay in the instant action, thereby barring disbursement of the insurance monies placed with the Court, the effect would be that our firm would be expected to do continuing work without being paid, especially in light of Mr. Lakian's current dwindling resources, due to his defense of other action(s) (including his indictment pending in the U.S. District Court for the Eastern District of New York). Granting a stay pending appeal would thus severely prejudice our firm (unless a Court would grant us permission to withdraw, by no means assured, and which may severely prejudice Mr. Lakian). We therefore ask that the request of Knox and DJW be denied.

Respectfully submitted,



Ira Kleiman

IK:dd